

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

----- x

In re:

FRANK A. FIORE,

Case No. 16-70610 (AST)

Chapter 11

Debtor

----- x

**ORDER GRANTING MOTION TO DISMISS THE DEBTOR'S CHAPTER 11 CASE**

Upon the motion (the "Motion") of Frank Fiore, (the "Debtor"), the debtor and debtor-in-possession, by and through his counsel, Macco & Stern, LLP, for an order pursuant to §§105(a), 305(a) and 1112(b) of title 11 of the United States Code (the "Bankruptcy Code"), and Rule 1017(a) of the Federal Rules of Bankruptcy Procedures (the "Bankruptcy Rules"), authorizing the dismissal of the Debtor's chapter 11 case (the "Chapter 11 Case"); and the affidavit of service of the Motion, on file with the Court; and additional service being neither necessary nor required; and no objections to the Motion having been filed or received; and the hearing having been scheduled for March 8, 2017 (the "Hearing"); and the Court having waived oral argument at the Hearing; and the Motion being in the best interests of the Debtor, the Debtor's estate and its creditors; and good and sufficient cause appearing; and it is hereby

**ORDERED**, that the Motion is granted; and it is further

**ORDERED**, that the Debtor's Chapter 11 Case is dismissed; and it is further

**ORDERED**, that within ten (10) days of entry of this Order, Debtor shall file an affidavit of payment (the "Affidavit"), stating that all creditors holding an allowed claim in the Debtor's Chapter 11 Case have been paid in full; and it is further

**ORDERED**, that after submission of the aforementioned Affidavit, Clerk of the Court shall close the Debtor's above-referenced Chapter 11 Case; and it


**ORDERED**, that the Debtor, or their agents, assigns, or successor in interest, may take any and all action under applicable law to exercise its remedies in accordance with this Order.

No objection:

/S/ Stan Y. Yang 3/23/2017 Office of the United States Trustee

**Dated: March 28, 2017**  
**Central Islip, New York**



  
\_\_\_\_\_  
**Alan S. Trust**  
**United States Bankruptcy Judge**